HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT APPEAL No. 435 of 2007

Between:

Pathivada Ramana

... Appellant

AND

District Panchayat Officer, Visakhapatnam
and three others.

... Respondents

: JUDGMENT :

Counsel for the appellant : Shri Kuritibhaskara Rao

Counsel for respondent No.1: Assistant Government Pleader
for Panchayat Raj.

Dated: 4th June, 2007

Per G.S. SINGHVI, CJ.

Having failed to persuade the learned Single Judge to entertain his prayer for interim relief in the matter of collection of Aaseelu of Vemulavalasa Grama Panchayat market, the appellant has preferred this appeal.

In the writ petition filed by him, the appellant has prayed for quashing the decision of Gram Panchayat, Vemulavalasa (Visakhapatnam District) to award contract to respondent No.4 for collection of Aaseelu and also for issue of a mandamus to accept the highest bid given by him. The learned Single Judge admitted the writ petition, but declined the appellant's prayer for suspending the contract awarded to respondent No.4 for collection of Aaseelu in the market of the Gram Panchayat.

We have heard Sri Kuriti Bhaskara Rao, learned counsel for the appellant, Assistant Government Pleader appearing for respondent No.1 and perused the record.

As per the appellant's own admission, the Gram Panchayat has awarded contract for collection of Aaseelu to respondent No.4 who gave bid of Rs.13,51,000/- as against the bid of Rs.8,03,000/- given by the appellant. It is also not in dispute that respondent No.4 has started collecting Aaseelu in the market in question. Therefore, neither the balance of convenience is in favour of the appellant nor irreparable injury will be suffered by it by non-grant of the stay. In any case, it will be highly detrimental to public

interest if respondent No.4 is restrained from collecting Aaseelu.

With the above observations, the appeal is dismissed.

As a sequel to dismissal of the writ appeal, WAMP.No.810 of 2007 filed by the appellant for interim relief is disposed of as infructuous.

G.S. SINGHVI, CJ.

C.V. NAGARJUNA REDDY, J.

Date: 04.06.2007
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